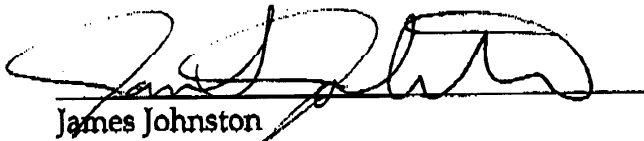


**WASTEWATER-LAND APPLICATION PERMIT
LA-000042-03**

Nelson Ricks Creamery Company, LOCATED AT P.O. Box 246,
Rexburg, ID 83440 AND IN T6N R40E SEC 16 IS HEREBY
AUTHORIZED TO CONSTRUCT, INSTALL, AND OPERATE A
WASTEWATER-LAND APPLICATION TREATMENT SYSTEM IN
ACCORDANCE WITH THE WASTEWATER-LAND APPLICATION
RULES (IDAPA 58.01.17), THE WATER QUALITY STANDARDS AND
WASTEWATER TREATMENT REQUIREMENTS (IDAPA 58.01.02), THE
GROUND WATER QUALITY RULE (IDAPA 58.01.11), AND
ACCOMPANYING PERMIT APPENDICES AND REFERENCE
DOCUMENTS. THIS PERMIT IS EFFECTIVE FROM THE DATE OF
SIGNATURE AND EXPIRES ON February 20, 2008.



James Johnston
Idaho Falls Regional Administrator
Idaho Department of Environmental Quality

2/21/03
Date

DEPARTMENT OF ENVIRONMENTAL QUALITY
Idaho Falls Regional Office
900 N. Skyline, Suite B
Idaho Falls, Idaho 83402
(208) 528-2650

POSTING ON SITE RECOMMENDED

B. Permit Contents, Appendices, and Reference Documents

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Reference Documents Incorporated or to be Incorporated into the Permit

1. Plan of Operation (Operation and Maintenance Manual)
2. Odor Management Plan
3. Buffer Zone Plan
4. TDS Management Plan (if required after completion of CA-042-07)

Note: The latest version of these manuals and plans are to be used as reference documents

The Sections, Appendices, and Reference Documents listed on this page are all elements of Wastewater-Land Application Permit LA-000042-03 and are enforceable as such. This permit does not relieve Nelson Ricks Creamery Company, hereafter referred to as the permittee, from responsibility for compliance with other applicable federal, state or local laws, rules, standards or ordinances.

C. Facility Information

Legal Name of Permittee	Nelson Ricks Creamery Co.
Type of Waste to be Land Applied	Cheese processing wastewater
Method of Treatment	Slow rate land application of wastewater by flood irrigation
Type of Facility	Cheese Processor
Facility Location	Approximately 2 miles northeast of Rexburg
Legal Location	T6N R40E Section 16
County	Madison
USGS Quad	Moody
Soils on Site	Annis Silty Clay Loam, Blackfoot Silt Loam
Aquifer Unit Name	SNAKE RIVER PLAIN ALLUVIUM
Depth to Ground Water	20 to 40 feet
Beneficial Uses of Ground Water	Drinking water, irrigation for agriculture, industrial
Nearest Surface Water	South Fork of the Teton River
Beneficial Uses of Surface Water	Irrigation, Recreation, Aquatic Life
Facility Contact Person Mailing Address Phone/Fax Number	Mr. Kirk Mackert Nelson Ricks Creamery Co. P.O. Box 246, Rexburg, ID 83440 (208) 356-5900
Facility Consultant Mailing Address Phone/Fax Number	Mr. Lyle Ford Lyle Ford, Inc. 3858 BrockBank Drive Salt Lake City, Utah 84124 Phone & Fax No. (801) 278-3505

D. Site Specific Permit Conditions

1. The Permittee is allowed to apply wastewater and treat it on a land application site as prescribed in the table below and in accordance with all other applicable permit conditions and schedules.

Category	Permitted Conditions
Type of Wastewater	Cheese Processing Wastewater from plant
Application Site Area	60.0 acres
Application Season	Year round
Growing Season (GS)	April 1 through October 31 (214 days)
Non-Growing Season (NGS)	November 1 through March 31 (151 days)
Method of Treatment and Process Description	Wastewater is treated in two (2) aerated lagoons and land applied to a 60-acre site.
<p>Growing Season Maximum Hydraulic Loading Rate, each Hydraulic Management Unit</p> <p>Note: Applies to the total volume of wastewater and supplemental irrigation water applied.</p>	<p>Growing Season Maximum Hydraulic Loading Rate (HLRgs) shall be no greater than the Irrigation Water Requirement (IWR) using data from the St. Anthony 1 WNW table of the following University of Idaho web site: http://www.kimberly.uidaho.edu/water/appndxet/index.shtml. The IWR for the crop grown is equal to the Mean Irrigation Requirement (IR) data from these tables divided by the irrigation system efficiency.</p> <p>In lieu of these tables, current climatic and evaporation data, or 30-year average data may be used to calculate the IWR, as defined in the DEQ 1994 <i>Technical Interpretive Supplement</i>, pages IV-6 and IV-7. Assume no carryover soil moisture and a leaching rate of zero in calculating the IWR. Application shall generally follow consumptive use rates for the crop throughout the season.</p> <p>No runoff is allowed from any site or fields used for wastewater land application except after a 25-year, 24-hour storm event or greater using the Western Regional Climate Center (WRCC) Precipitation Frequency Map, Figure 28 "Isopluvials of 25-YR, 24-HR Precipitation" available at http://www.wrcc.dri.edu/pcpnfreq.html. For this site, the 25-year, 24-hour event is 2.0 inches.</p>

D. Site Specific Permit Conditions

Category	Permitted Conditions
<p>Non-Growing Season Maximum Hydraulic Loading Rate, each Hydraulic Management Unit</p> <p>Note: Applies to the total volume of wastewater and supplemental irrigation water applied.</p>	<p>9.7 inches/acre for the 60 acre land treatment site.</p> <p>The maximum total NGS hydraulic loading rate for the 60 acre land treatment site is 15.8 million gallons.</p> <p>No runoff is allowed from any site or fields used for wastewater land application except after a 25-year, 24-hour storm event or greater using the Western Regional Climate Center (WRCC) Precipitation Frequency Map, Figure 28 “Isopluvials of 25-YR, 24-HR Precipitation” available at http://www.wrcc.dri.edu/pcpnfreq.html. For this site, the 25-year, 24-hour event is 2.0 inches.</p>
Ground Water Quality	Ground water quality shall be in compliance with the <i>Ground Water Quality Rule</i> (GWQR), IDAPA 58.01.11
Growing Season COD Loading	50 pounds/acre-day (seasonal average)
Non-Growing Season COD Loading	25 pounds/acre-day (seasonal average)
Nitrogen Loading	<p>150% of typical crop uptake</p> <p>Typical crop uptake shall be defined as the <u>median</u> crop nitrogen uptake from the three (3) most recent years the crop has been grown. Typical crop uptake is determined for each hydraulic management unit. For hydraulic management units having less than three years of crop uptake data, regional crop yield data and typical nutrient content values, or other values approved by DEQ, may be used.</p>
Phosphorous Limits	<p>None.</p> <p>DEQ reserves the right to re-open this permit for inclusion of phosphorus loading rate limits. Note – The South Fork of the Teton River upstream and downstream of the land application site shall be sampled and analyzed for water quality parameters as specified in Section E of this permit, including phosphorous.</p>
Non-Growing Season Storage	<p>The pond system shall be operated in a manner that provides appropriate storage capacity at the beginning of the non-growing season (NGS) to ensure compliance with the NGS hydraulic loading rate limit specified in section D.</p> <p>The pond operating procedures shall be included in the Operation and Maintenance Manual (see Section F, CA-042-01).</p>

D. Site Specific Permit Conditions

Category	Permitted Conditions
Buffer Zones	<p>The following buffer zone distances shall be provided between land application areas and the following items in accordance with an approved Buffer Zone Plan (see Section F, Part CA-042-05):</p> <ul style="list-style-type: none"> • Dwellings 300 feet or more • Public Access Areas 50 feet or more • Natural Surface Waters 100 feet or more • Man-made surface waters 50 feet or more <p>Buffer zone distances may be reduced to alternative distances by employing approved mitigation measures including:</p> <ol style="list-style-type: none"> 1. Establishment of an effective physical barrier; 2. Utilization of “non-spray” irrigation; 3. Managing irrigation systems in a manner which would prevent any spray or aerosol drift towards the buffered object; and/or 4. Runoff and/or overspray controls. <p>Any mitigation measures to reduce buffer zone distances must be submitted to and approved by DEQ prior to use.</p> <p>If necessary, BMPs to prevent runoff from the site shall be used in the buffer zones around all areas where runoff may potentially occur. New BMPs shall be reviewed and approved by DEQ prior to installation.</p>
Wellhead Protection	<p>The following buffer zones shall be maintained for wellhead protection:</p> <ul style="list-style-type: none"> • 1000 feet or more shall be maintained between land application areas and public water supplies, unless a DEQ approved Well Location Acceptability Analysis indicates an alternative buffer zone is acceptable (see Section F, Part CA-042-04) • 500 feet or more shall be maintained between land application areas and domestic water supplies, unless a DEQ approved Well Location Acceptability Analysis indicates an alternative buffer zone is acceptable (see Section F, Part CA-042-04) • 25 feet or more shall be maintained between land application areas and on-site monitoring wells.
Waste Solids including Dredgings and Sludges	<p>All waste solids including, but not limited to, dredgings and sludges shall be utilized or disposed of in accordance with Paragraph 6,</p>

D. Site Specific Permit Conditions

Category	Permitted Conditions
	Section H of this permit, and in accordance with Section F, CA-042-03.
Odor Management	All wastewater treatment systems, land application facilities and other operations associated with the facility shall not create a public health hazard or nuisance conditions including odors. The site shall be operated in accordance with an approved Odor Management Plan. In the event nuisance odors, verified by DEQ, occur, the Plan shall be revised as necessary to address, eliminate or minimize the reoccurrence of nuisance odors (see Section F, CA-042-02).
Supervision	<p>The wastewater treatment and application systems shall be operated under the supervision of a competent operator. The operator will be required to complete the DEQ sponsored 2003 WLAP training course offered by Brown Environmental.</p> <p>DEQ recommends that the operator attend any applicable training that is offered by the Southeast Idaho Operator Section of the Pacific Northwest Pollution Control Association (i.e. wastewater pre-treatment, operation and maintenance of pumps, lagoons, emergency response, use of polymers, etc.) and become certified through the Idaho Wastewater Operators Certification program during the life of this permit.</p>
Plans and Specifications	Pursuant to IC§39-118, detailed plans and specifications shall be submitted to DEQ for review and approval prior to construction or modification of any wastewater treatment, storage or conveyance facilities or structures. Within 30 days of completion of construction, the permittee shall submit as-built plans for review and approval or a letter from an Idaho-registered Professional Engineer certifying that the wastewater facilities were constructed or modified in substantial accordance with the approved plans and specifications.
Fencing and Posting	Fencing and posting not required.

- Any additional land, which the facility wishes to incorporate into the wastewater-land application permit, requires submittal of permit application materials and modification of the permit by DEQ prior to use.

E. Monitoring Requirements

- 1.) The permittee shall monitor and measure parameters as stated in the Facility Monitoring Schedule in this section.
- 2.) Samples shall be collected at times and locations that represent typical environmental and process parameters being monitored.
- 3.) Appropriate analytical methods, as given in the DEQ *Handbook for Land Application of Municipal and Industrial Wastewater, April 1996*, or as approved by the Idaho Department of Environmental Quality (hereinafter referred to as "DEQ"), shall be employed.
- 4.) A description of approved sample collection methods, appropriate analytical methods, and QA/QC procedures shall be included in the Operation and Maintenance manual. See Section F, CA-042-01.
- 5.) Unless otherwise agreed to in writing by the DEQ, data collected and submitted shall include, but not be limited to, the parameters and frequencies in the table on the following page.
- 6.) Ten (10) soil sample locations shall be selected for each management unit with greater than fifteen acres and Five (5) soil sample locations shall be selected for each management unit with fifteen acres or less. Four (4) soil samples shall be collected at each sample location, one at 0-12 inches, one at 12-18 inches, one at 18-24 inches, and one at 24-36 inches. The soil samples collected at each depth shall be composited to yield four (4) samples for analysis from each management unit.
- 7.) Ground water monitoring wells shall be purged a minimum of three (3) casing volumes prior to obtaining a sample of ground water. The static water level shall be measured prior to pumping or sampling the ground water.
- 8.) Annual reporting of monitoring requirements is described in Section G, Reporting Requirements.
- 9.) Monitoring locations are defined in Appendix 1, "Environmental Monitoring Serial Numbers".

Facility Monitoring Table

Frequency	Monitoring Point	Description/Type of Monitoring	Parameters
Daily	Flow meter	Flow of wastewater into land application system	Volume (million gallons and acre-inches per acre) to each hydraulic management unit (HMU), annual reporting by month
Monthly	Effluent to land application	Wastewater quality into land application system	Chemical Oxygen Demand, Total Kjeldahl Nitrogen, Ammonia-Nitrogen, Nitrite + Nitrate-Nitrogen, Total Phosphorous, Chloride, Electrical Conductivity, Potassium, pH
Every two (2) months (for the first year only) (6 samples total)	Effluent to land application	Grab Sample of wastewater into land application system	Bacterial count numbers for total coliform, <i>E. coli O157:H57</i> , <i>Salmonella enteritidis</i> , <i>Listeria monocytogenes</i> , <i>Campylobacter jejuni</i> , and <i>Staphylococcus aureus</i>

E. Monitoring Requirements

Frequency	Monitoring Point	Description/Type of Monitoring	Parameters
Quarterly	Effluent to land application	Wastewater quality into land application system	Total Dissolved Inorganic Solids (TDIS), - the summation of chemical analytical concentration results for the following common ions: calcium, magnesium, potassium, sodium, chloride, sulfate, and 0.6 x alkalinity (alkalinity measured as calcium carbonate)
Quarterly (For the first year only)	Effluent to land application	Wastewater quality into land application system	Total Dissolved Solids, Volatile Dissolved Solids
Monthly	Best-estimate from cross section or channel	Supplemental Irrigation Water	Volume (million gallons and acre-inches per acre) to each hydraulic management unit (HMU), annual reporting by month.
Annually (July)	Supplemental Irrigation Water	Grab sample	Nitrate-Nitrogen, Total Phosphorous, Total Dissolved Solids, Volatile Dissolved Solids, Chloride
3 times annually (March, July, October)	Ground Water monitoring wells: GW-04206 GW-04207 GW-04208 GW-04209	See Note 7	Nitrate-Nitrogen, Total Phosphorous, Total Dissolved Solids, Water Table Elevation, Water Table Depth, Total Iron, Total Manganese, Chloride, Dissolved iron ¹ , Dissolved manganese ¹
October, 2003 and 2008 (after completing CA-042-04)	All applicable wells identified in CA-042-04	Grab samples of domestic well water (with approval of owner)	Nitrate-Nitrogen, Total Phosphorous, Total Dissolved Solids, Total Iron, Total Manganese, Chloride Submit proposal for DEQ review and approval prior to first sampling event. See Section F, CA-042-04.

E. Monitoring Requirements

Frequency	Monitoring Point	Description/Type of Monitoring	Parameters
3 times for the first year only (April, July, October 2003)	South Fork of the Teton River Up and Down Stream from the site	Grab samples of the surface water in the river	Total Phosphorous, Total Dissolved Solids, Chemical Oxygen Demand, Chloride, Nitrate-Nitrogen DEQ shall review and approve the sample locations prior to initial sampling event. The Department will determine if further sampling is required based on the results of the first-year sampling events.
Twice per year (Spring, prior to application of supplemental fertilizers, October)	Each soil monitoring unit	See note 6	Electrical Conductivity, Nitrate-Nitrogen, Ammonium Nitrogen, Phosphorus (plant available, Olsen method), pH
Monthly		Calculate IWR for each crop type	Volume (million gallons and acre-inches per acre) to each HMU, annual reporting by month.
Annually	Each HMU	Crop yield	Typical reporting units for crop grown (i.e. tons/acre, bushels/acre, pounds/acre) and total yield in pounds per harvest for each crop within the HMU (specify moisture basis)
Annually	Each HMU	Plant tissue analysis: Composite sample of harvested portion of each crop per harvest	Nitrate-nitrogen, Total Kjeldahl Nitrogen, Total Phosphorus, ash (dry basis) for each crop within HMU
Annually	Each HMU	Calculate crop nitrogen and phosphorous removal	Pounds/acre and total pounds per harvest for each crop within each HMU

E. Monitoring Requirements

Frequency	Monitoring Point	Description/Type of Monitoring	Parameters
Annually	Each HMU	Calculate NGS wastewater loading rates	Inches/NGS
Annually	Each HMU	Calculate seasonal average COD loading rate (GS and NGS)	Pounds/acre-day
Annually	Each HMU	Calculate wastewater nitrogen loading rate	Pounds/acre-year
Annually	Each HMU	Calculate wastewater phosphorous loading rate	Pounds/acre-year
Annually	Each HMU	Calculate wastewater TDIS loading rate	Pounds/acre-year
Annually	Each HMU	Report nitrogen and phosphorous fertilizer application rates	Pounds/acre-year

1. Analytical results are required for dissolved iron and/or manganese only if the results for total iron and/or manganese exceed the standards in IDAPA 58.01.11.200.01.b.

F. Compliance Schedule for Required Activities

- 1) The Activities in the following table shall be completed on or before the Completion Date unless modified by the Department in writing.

Compliance Activity Number Completion Date	Compliance Activity Description
<p style="text-align: center;">CA-042-01</p> <p style="text-align: center;">February 21, 2004</p>	<p>Submit to the Department for review and approval an updated Plan of Operation (Operation & Maintenance Manual or O&M Manual) for the wastewater land application facilities incorporating the requirements of this permit. The O&M Manual shall describe in detail the operation, maintenance, and management of the wastewater treatment system, and shall be designed for use as an operator guide for actual day-to-day operations to meet permit requirements. The O&M Manual shall include daily facility sampling and monitoring requirements to insure proper operation of the wastewater treatment facility, and shall include a description of approved sample collection methods, appropriate analytical methods, and QA/QC procedures for all monitoring requirements (including in-house and outside laboratory testing) listed in Section E. Monitoring Requirements.</p> <p>A Contingency Plan shall also be included as part of the O&M Manual. The Contingency Plan shall address, at a minimum, the following:</p> <ol style="list-style-type: none"> 1. Spill Prevention, Containment and Countermeasures 2. Emergency Response 3. System Upsets <p>The Contingency Plan shall contain detailed plans addressing runoff prevention requirements and minimization of ponding events within land application fields.</p> <p>Upon approval by DEQ, the O&M Manual shall be incorporated by reference into this permit and shall be enforceable as a part of this permit.</p>
<p style="text-align: center;">CA-042-02</p> <p style="text-align: center;">February 21, 2004</p>	<p>Submit an updated Nuisance Odor Management Plan to DEQ for review and approval. The Plan shall include wastewater treatment systems, land application facilities, and other operations associated with the facility. The Plan shall include specific design considerations, operation and maintenance procedures, and management practices to be employed to minimize the potential for or limit odors. The Plan shall also include procedures to respond to an odor incident if one occurs, including notification procedures.</p>

F. Compliance Schedule for Required Activities

Compliance Activity Number Completion Date	Compliance Activity Description
<p>CA-042-03 February 21, 2004</p> <p>As necessary</p>	<p>The permittee shall measure the sludge depth in primary wastewater treatment lagoon and submit results to DEQ.</p> <p>If any waste solids are generated during the life of this permit including, but not limited to, solids or sludge must be removed from the primary or secondary wastewater treatment lagoons, the facility shall submit a Waste Solids Management Plan to DEQ for review and approval prior to removal and/or disposal of the solids or sludge. The Plan shall address how the requirements of Section H, No. 6 will be satisfied for all waste solids including, but not limited to, dredgings and sludges.</p>
<p>CA-042-04 September 21, 2003</p> <p>May 21, 2004</p>	<p>Perform a well log search to locate and acquire all available and potentially applicable well logs that may be used to complete a Well Location Acceptability Analysis (WLAA), including wells identified in the Staff Analysis and any new wells installed since the previous WLAA was completed. Upon completion of the well log search, submit to DEQ for review and approval, a proposal indicating the quantity and identification of all applicable wells that will be used to perform the WLAA.</p> <p>Upon DEQ approval of said proposal, Nelson Ricks Creamery, Co. shall submit to the Department an updated Well Location Acceptability Analysis (WLAA) that includes all wells identified and approved in said proposal. The WLAA shall follow the procedures outlined on pages IV-19 through IV-23 of the <i>Handbook for Land Application of Municipal and Industrial Wastewater</i>.</p>
<p>CA-042-05 May 21, 2004</p>	<p>Submit to DEQ for review and approval, an updated Buffer Zone Plan. The Plan shall address how the limits and conditions described in Section D of this permit will be satisfied. Upon DEQ review and approval, the Plan shall be incorporated into the O&M Manual.</p>
<p>CA-042-06 February 21, 2004</p> <p>May 21, 2004 (if required)</p>	<p>Conduct seepage testing in accordance with DEQ uniform seepage test procedures, or a method approved by DEQ, on the primary and secondary wastewater lagoons. Please refer to seepage testing guidance at http://www.deq.state.id.us/water/wastewater/guidance_wlap.htm. Nelson Ricks Creamery Co. shall notify DEQ fourteen (14) days prior to commencement of the seepage tests.</p> <p>The leakage performance standard set in the DEQ guidance is specified as 0.25 inches/day or less for existing lagoons. If seepage exceeds 0.25 inches/day for either lagoon, the permittee shall submit a plan and schedule within 90 days, for DEQ review and approval, to either repair, replace or abandon the lagoon(s) that exceed the specified standard. Upon approval by DEQ, the Plan shall be incorporated by reference into this permit and become an enforceable part of this permit.</p>

F. Compliance Schedule for Required Activities

Compliance Activity Number Completion Date	Compliance Activity Description
CA-042-07 February 21, 2005 (if required)	<p>The department will evaluate the results of TDS ground water analyses through the July 2004 sampling event. Based upon this evaluation, the Department will determine if a TDS management plan is required. If the determination is made that a TDS management plan is required, the Department will notify the permittee and the plan shall be submitted for DEQ review and approval by the date specified.</p>
CA-042-08 At least six (6) months prior to permit expiration	<p>Meet with the Department for pre-application conference. Submit application package of information to the Department for permit renewal.</p>

G. Reporting Requirements

- 1) The permittee shall submit an Annual Wastewater-Land Application Site Performance Report ("Annual Report") prepared by a competent environmental professional no later than January 31 of each year which shall cover the previous year from November 1 through October 31. The Annual Report shall include interpretive discussions of monitoring data (ground water, vadose zone, hydraulic loading, wastewater etc.) with particular respect to environmental impacts by the facility.
- 2) The required monitoring is described in *Section E. Monitoring Requirements*. All monitoring data generated by the facility as per *Section E. Monitoring Requirements* shall be submitted to the Department with the Annual Report. Sampling frequencies greater than those prescribed in the Monitoring Requirements for parameters listed shall be submitted to the Department with the Annual Report.
- 3) All laboratory reports containing the sample results for monitoring required by Section E of this permit shall be submitted to the Department with the Annual Report.
- 4) Notice of completion of any work described in Section F. Compliance Schedule for Required Activities shall be submitted to the Department within 30 days of activity completion. The status of all other work described in Section F shall be submitted with the Annual Report.

H. Standard Permit Conditions: Procedures and Reporting

1. The permittee shall at all times properly maintain and operate all structures, systems, and equipment for treatment, operational controls and monitoring, which are installed or used by the permittee to comply with all conditions of the permit or the Wastewater-Land Application Permit Regulations, in conformance with a DEQ approved, current Plan of Operations (Operations and Maintenance Manual) which describes in detail the operation, maintenance, and management of the wastewater treatment system. This Plan of Operations shall be updated as necessary to reflect current operations.
2. Wastewater(s) or recharge waters applied to the land surface must be restricted to the premises of the application site unless permission has been obtained from the DEQ authorizing a discharge into the waters of the State as stated in IDAPA 58.01.02.600.02.
3. Wastewater must not create a public health hazard or nuisance condition as stated in IDAPA 58.01.02.600.03. In order to prevent public health hazards and nuisance conditions the permittee shall:
 - a. Apply wastewater as evenly as practicable to the treatment area;
 - b. Prevent organic solids (contained in the wastewater) from accumulating on the ground surface to the point where the solids putrefy or support vectors or insects; and
 - c. Prevent wastewater from ponding in the fields to the point where the ponded wastewater putrefies or supports vectors or insects.
4. As a result of the land application of wastewater, ground water of the state must not contain contaminants exceeding those values as referenced under IDAPA 58.01.11, the *Ground Water Quality Rule*, unless otherwise specified in this permit.
5. The permittee shall:
 - a. Manage the wastewater land application treatment site as an agronomic operation where vegetative cover is grown and harvested or grazed to utilize the nutrients and minerals in the wastewater, and,
 - b. Not hydraulically overload any particular areas of the wastewater land application treatment site.
6. All waste solids, including dredgings and sludges, shall be utilized or disposed in a manner which will prevent their entry, or the entry of contaminated drainage or leachate therefrom, into the waters of the state such that health hazards and nuisance conditions are not created; and to prevent impacts on designated beneficial uses of the ground water and surface water. The permittee's management of waste solids shall be governed by the terms of the DEQ approved Waste Solids Management Plan, which upon approval shall be an enforceable portion of this permit.
7. If the permittee intends to continue operation of the permitted facility after the expiration of an existing permit, the permittee shall apply for a new permit at least six months prior to the expiration date of the existing permit in accordance with the Waste Water Land Application Permit Regulations and include seepage tests on all lagoons per latest DEQ procedures.
8. The permittee shall allow the Director of the Idaho Department of Environmental Quality or the Director's designee (hereinafter referred to as Director), consistent with Title 39, Chapter 1, Idaho Code, to:
 - a. Enter the permitted facility,
 - b. Inspect any records that must be kept under the conditions of the permit.
 - c. Inspect any facility, equipment, practice, or operation permitted or required by the permit.
 - d. Sample or monitor for the purpose of assuring permit compliance, any substance or any parameter at the facility.
9. The permittee shall report to the Director under the circumstances and in the manner specified in this section:
 - a. In writing thirty (30) days before any planned physical alteration or addition to the permitted facility or activity if that alteration or addition would result in any significant change in information that was submitted during the permit application process.

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H. Standard Permit Conditions: Procedures and Reporting

- b. In writing thirty (30) days before any anticipated change which would result in non-compliance with any permit condition or these regulations.
- c. Orally within twenty-four (24) hours from the time the permittee became aware of any non-compliance which may endanger the public health or the environment at telephone numbers provided in the permit by the Director (see below)

DEQ Regional Office: see Permit Certificate Page
Emergency 24 Hour Number: 1-800-632-8000

- d. In writing as soon as possible but within five (5) days of the date the permittee knows or should know of any non-compliance unless extended by the DEQ. This report shall contain:
 - i. A description of the non-compliance and its cause;
 - ii. The period of non-compliance including to the extent possible, times and dates and, if the non-compliance has not been corrected, the anticipated time it is expected to continue; and
 - iii. Steps taken or planned to reduce or eliminate reoccurrence of the non-compliance.
 - e. In writing as soon as possible after the permittee becomes aware of relevant facts not submitted or incorrect information submitted, in a permit application or any report to the Director. Those facts or the correct information shall be included as a part of this report.
10. The permittee shall take all necessary actions to prevent or eliminate any adverse impact on the public health or the environment resulting from permit noncompliance.
11. The permittee shall determine (on an on-going basis) if any noxious weed problems relate to the permitted sites. If problems are present, coordinate with the Idaho Department of Agriculture or the local County authority regarding their requirements for noxious weed control. Also address these control operations in an update to the Operations and Maintenance Manual.

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I. Standard Permit Conditions: Modifications, Violation, and Revocation

1. The permittee shall furnish to the Director within reasonable time, any information including copies of records, which may be requested by the Director to determine whether cause exists for modifying, revoking, re-issuing, or terminating the permit, or to determine compliance with the permit or these regulations.
2. Both minor and major modifications may be made to this permit as stated in IDAPA 58.01.17.700.01 and 02 with respect to any conditions stated in this permit upon review and approval of the DEQ.
3. Whenever a facility expansion, production increase or process modification is anticipated which will result in a change in the character of pollutants to be discharged or which will result in a new or increased discharge that will exceed the conditions of this permit, or if it is determined by the DEQ that the terms or conditions of the permit must be modified in order to adequately protect the public health or environment, a request for either major or minor modifications must be submitted together with the reports as described in G. Reporting Requirements, and plans and specifications for the proposed changes. No such facility expansion, production increase or process modification shall be made until plans have been reviewed and approved by the DEQ and a new permit or permit modification has been issued.
4. Permits shall be transferable to a new owner or operator provided that the permittee notifies the Director by requesting a minor modification of the permit before the date of transfer.
5. Any person violating any provision of the Waste Water Land Application Permit Regulations, or any permit or order issued thereunder shall be liable for a civil penalty not to exceed ten thousand dollars (\$10,000) or one thousand dollars (\$1,000) for each day of a continuing violation, whichever is greater. In addition, pursuant to Title 39, Chapter 1, Idaho Code, any willful or negligent violation may constitute a misdemeanor.
6. The Director may revoke a permit if the permittee violates any permit condition or the Wastewater Land Application Permit Regulations.
7. Except in cases of emergency, the Director shall issue a written notice of intent to revoke to the permittee prior to final revocation. Revocation shall become final within twenty (20) days of receipt of the notice by the permittee, unless within that time the permittee request an administrative hearing in writing to the Director.
8. The Director shall notify the permittee in writing of any revocation hearing at least twenty (20) days prior to the date set for such hearing. The hearing shall be conducted in accordance with Title 67, Chapter 52, Idaho Code.
9. If, pursuant to Idaho Code, §67-5247, the Director finds the public health, safety or welfare requires emergency action, the Director shall incorporate findings in support of such action in a written notice of emergency revocation issued to the permittee. Emergency revocation shall be effective upon receipt by the permittee. Thereafter, if requested by the permittee in writing the Director shall provide the permittee a revocation hearing and prior notice thereof. Such hearings shall be conducted in accordance with Title 67, Chapter 52, Idaho Code.
10. The provisions of this permit are severable and if a provision or its application is declared invalid or unenforceable for any reason, that declaration will not affect the validity or enforceability of the remaining provisions.
11. The permittee shall notify the DEQ at least six (6) months prior to permanently removing any permitted land application site from service. Prior to commencing site closure activities, the permittee shall: a) participate in a pre-site closure meeting with the DEQ; b) develop a site closure plan that identifies specific closure or cleanup tasks with scheduled task completion dates in accordance with agreements made at the pre-site closure meeting; and c) submit the completed site closure plan to the DEQ for review and approval within forty-five (45) days of the pre-site closure meeting. The permittee must complete the DEQ approved site closure plan.

Appendix 1
Environmental Monitoring Serial Numbers

HYDRAULIC MANAGEMENT UNITS

Serial Number	Description	Acres
MU-04201	Land Application site	60

WASTEWATER SAMPLING POINTS

Serial Number	Description
WW-04201	Grab sample of secondary pond effluent at weir

SURFACE WATER SAMPLING POINTS

Serial Number	Description
SW-04201	Grab sample of South Fork of the Teton River upstream of the land application site
SW-04202	Grab sample of South Fork of the Teton River upstream of the land application site

Note: Contact DEQ for approval of sampling location prior to initial sampling event.

SOIL MONITORING UNITS

Serial Number	Description	Associated HMU
SU-04201	60-acre land application site	MU-04201

Appendix 1

Environmental Monitoring Serial Numbers

LAGOONS

Serial Number	Description
LG-04201	Aerated lagoon no. 1 (Primary Lagoon)
LG-04202	Aerated lagoon no. 2 (Secondary Lagoon)

GROUND WATER MONITORING

Serial Number	Description	Location
GW-04201	1 NE Well (no longer used)	Upgradient
GW-04202	2 NW Well (no longer used)	Upgradient
GW-04203	3 W Well (no longer used)	Downgradient
GW-04204	4 SW Well (no longer used)	Downgradient
GW-04205	5 SE Well (no longer used)	Downgradient
GW-04206	MW-1, located at the northeast corner of land application site	Upgradient
GW-04207	MW-2, located at the northwest corner of the land application site	Upgradient
GW-04208	MW-3, located west of the lagoons along 1700 East Street	Downgradient
GW-04209	MW-4, located on the southern border of the land application site	Downgradient